

MMS:GKS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(21 U.S.C. § 952(a) and 960)

MARIO ANTONIO JAVIER MORFFE,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JAMES HOLT, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

On or about January 29, 2016, within the Eastern District of New York and elsewhere, the defendant MARIO ANTONIO JAVIER MORFFE did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and belief are as follows:¹

1. On or about January 29, 2016, the defendant MARIO ANTONIO JAVIER MORFFE arrived at JFK International Airport in Queens, New York aboard Jet Blue Flight 310 from Santo Domingo, Dominican Republic.

¹ Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

2. Upon his arrival, the defendant was selected for an enforcement examination by United States Customs and Border Protection (“CBP”) officers. The defendant presented one carry-on bag and one checked suitcase. Within the defendant’s bags, CBP officers discovered a wooden mortar and pestle set that was approximately 12 inches in height. Upon further examination, the mortar and pestle appeared to be unusually heavy and the mortar appeared unusually shallow. A CBP officer probed the mortar, revealing a white powdery substance. This substance field tested positive for the presence of cocaine.


3. CBP officers further discovered approximately two more mortar and pestle sets in the defendant’s luggage. Both of these sets were also found to be concealing cocaine.

4. In the three total mortar and pestle sets containing cocaine, three of the mortars and two of the pestles contained a white powdery substance that tested positive for the presence of cocaine. The total approximate gross weight of the cocaine recovered from the mortar and pestle sets was 3,051.9 grams.

5. The defendant was thereafter arrested. In the defendant’s possession was a cellular telephone. A border search of the phone revealed pictures of prior law enforcement seizures of cocaine pellets. The defendant was advised of his rights and agreed to speak with HSI agents. He said, in sum and substance and in part, that he thought that the mortar and pestle sets were unusually heavy for what they were.


WHEREFORE, your deponent respectfully requests that the defendant
MARIO ANTONIO JAVIER MORFFE be dealt with according to law.

Dated: Brooklyn, New York
January 29, 2016



JAMES HOLT
Special Agent
United States Department of Homeland Security
Homeland Security Investigations

Sworn to before me this
29th day of January, 2016



THE HONORABLE MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK